

**REMARKS**

Claims 1-84 are currently pending in this application. Independent claims 1, 25-28, 51-54 and 76-84 have been amended. All arguments below refer to the original numbered claims to prevent confusion.

Applicant submits the following addition of dependent claims; claims 85-89 depend from independent claim 26, claims 102-115 depend from independent claim 27, claims 116-119 depend from independent claim 52, claims 120-137 depend from independent claim 53, claims 149-151 depend from independent claim 77, and claims 161-167 depend from claim 78. Additionally, applicants submit for your review, the following new independent claims; 90, 138 and 152, along with respective dependent claims 91-101, 139-148, and 153-160. Support for the addition of said independent claims can be found in the specification at pages 11-18, as well as in the corresponding figures 1-6, and 7A-7F.

Applicant submits that no new matter has been entered by way of this amendment. Applicant respectfully requests reconsideration of the above-identified application, in view of the foregoing amendments and the following remarks.

**Amendment to the Specification:**

The title of this application has been amended as follows for clarification purposes:  
Method, System and Apparatus for Separately Processing Database Queries.

**Claim Rejections – 35 U.S.C. § 103**

Claims 1-13, 15-40, 42-66, 68-83 have been rejected under 35 U.S.C. § 103(a), as allegedly being unpatentable over Al-omari, et al. (US Patent No. 6,438,741) (Al-omari), in view of Bodamer, Jr. et al (US 6,226,649 B1) (Bodamer). Claims 14, 41, 67 and 84 have been rejected under 35 U.S.C. § 103(a), as allegedly being unpatentable over Al-omari, et al. (US Patent No. 6,438,741) (Al-omari), in view of Bodamer, Jr. et al (US 6,226,649 B1) (Bodamer), further in view of Driesch Jr., et al (US Patent Application No. 2003/0065648). Applicant respectfully traverses the rejections and submits that the pending claims are patentably distinct from the cited references.

Applicant respectfully submits that all amended claims are patentably distinct from the cited references, taken alone or in combination. Specifically, Applicant submits that all amended claims are patentable over Al-omari, in view of Bodamer. For at least the same reasons, all amended claims are patentable over Al-omari in view of Bodamer and Dreisch. The claim term added is ‘separately’, which clarifies that this system implements use of an alternate database engine, separate from an existing one, to access information from the existing database. (See, Specification page 4, lines 17-20). For example, independent claim 1 recites *inter alia*, “A method for processing... performed by an alternate database engine, the method comprising...separately processing the database command using a command layer of an alternate database engine without accessing the command layer of the first database engine...” All of the other independent claims have been similarly amended to require “separately processing the

database command.” Applicant submits that the cited references, taken alone or in combination do not disclose, teach or suggest the elements, as recited in independent claim 1.

Al-omari is directed to a system and method for eliminating compile time explosion in a top down rule based system using selective sampling. More generally, Al-omari, is a query optimization system providing an alternative to conventional processing-intensive recursive analysis of complex database queries. (See, Al-omari, Col. 3, lines 1-45). In these passages, Al-omari discusses the primary “problem with conventional query optimizers” and a summary of Al-omari’s solution to the problem – implementing “a search engine and a database implementor (DBI) that are used to generate an optimal plan for an input query....” Al-omari’s system is simply a query optimizer. Al-omari does not disclose, teach or suggest an “alternate database engine” configured as recited in independent claim 1, in addition to all subsequent independent claims.

Furthermore, the Office Action acknowledges, “Al-omari does not explicitly teach processing the database command using only a command layer of an alternate database engine without accessing the command layer of the first database engine.” (See, Office Action, page 3, ¶1). The Office action relies on Bodamer to remedy this deficiency. However, Bodamer discloses a method which uses one database as a translator to access the primary (foreign in Bodamer language) database. Bodamer discloses a method that does not rely on an alternate database to improve performance. (See, Bodamer, Col. 3, lines 65-67).

In addition, the Examiner rejects independent claims 76-78, stating “Al-omari discloses a plurality of users on a computer system as many user workstation computers or terminals in a distributed computer environment.” However, the Examiner admits to persuasive

arguments presented in the previous response filed October 18, 2004, therefore the Examiner has already considered and withdrawn previous rejections based on Al-omari. Additionally, Al-omari does not teach, disclose or suggest an efficient method to intercept a query, circumvent an existing database through using an alternate database, and retrieval of information from that already existing database without compromise.

The Examiner also rejects independent claims 79-80, stating “Bodamer discloses receiving a result of the database command from an alternate database engine.” (See, Office Action, page 8). However, Bodamer does not teach, disclose or suggest a method to intercept a query, circumvent an existing database through using of an alternate database, and retrieval of information from that already existing database without compromise.

Examiner next rejects independent claims 81-83 stating “Bodamer teaches receiving a read-only database command for a plurality of users.” (See, Office Action page 9). Applicant respectfully submits Bodamer does not teach receiving a read only database command. Bodamer also fails to teach, disclose or suggest a method to intercept a query, circumvent an existing database through using an alternate database, and retrieval of information from that already existing database without compromise. It is respectfully submitted that these independent claims are also non-obvious to those skilled in the art.

Applicant respectfully submits that neither Al-omari nor Bodamer, taken alone or in combination, disclose, teach or suggest an alternate database engine separate from an existing database, as claimed in all independent and dependent claims, and discussed throughout the specification (See, Figs. 7D – 8C and the corresponding text on page 21 line 19-page 25, line 23).

The Examiner further rejects dependent claims 14, 41 and 67 stating “Al-omari and Bodamer do not explicitly teach determining whether the query requires accessing temporally sensitive data, and if so, accessing a transaction log of the first database engine...Dreisch teaches determining whether the query requires accessing temporally sensitive data, and if so accessing a transaction log of the first database engine.” (See, Office action page 9). As discussed above, the Al-omari and Bodamer references do not render obvious independent claims 1, 28 and 54 because they do not teach, disclose or suggest an efficient method to intercept a query and interpret varying database languages, enabling a user to perform searches on any foreign database. Because the Dreisch reference also does not teach, disclose or suggest an efficient method to intercept a query, circumvent an existing database through using an alternate database, and retrieval of information from that already existing database without compromise, there is no motivation to combine the Dreisch reference with Al-omari and Bodamer to achieve the novel combination of dependent claims 14, 41 and 67.

In addition, the Examiner rejects independent claim 84 for the same reasons as discussed above. Applicant respectfully submits that Dreisch does not teach, disclose or suggest whether the query requires accessing temporally sensitive data. Dreisch merely maintains a query log, which is not the purpose of the system. The application discloses a method for determining whether a query is requesting information which is updated as frequently as by the minute. See Specification page 9, lines 15-22. Upon recognition of this specific query, the alternate database will secure the most recent information in order to respond separately and accurately. See Specification, page 9, lines 20-22). Dreisch does not disclose this method and therefore cannot remedy the deficiencies of the references discussed above.

Therefore, Applicant respectfully submits that for at least these reasons independent claims 1, 25-28, 51-54 and 76-84 are patentably distinct from the cited references, taken either alone or in combination. Further, Applicant submits that claims 2-24, 29-50 and 55-75, which are directly or indirectly dependent from independent claims 1, 28 and 54, respectively, are also patentably distinct from the cited references for at least similar reasons. Accordingly, Applicant requests withdrawal of the rejections on these grounds.

**CONCLUSION**

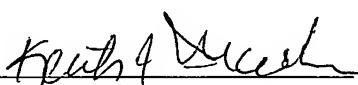
Applicant respectfully requests reconsideration in view of the foregoing amendments and remarks, respectfully submits that the claims as presented herein are allowable over the art of record and that the application is in condition for allowance, which action is earnestly solicited.

The Examiner is invited to contact the undersigned at the telephone number below, should that in anyway facilitate prosecution.

Applicant believes that the attached extension of time is sufficient for the timely submission of this paper. However, should any supplemental extension of time be necessary to render this filing timely, such extension is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be required for this paper, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 4241-4002

Respectfully submitted,  
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